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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/369,756	08/06/1999	NORMAN D. CHOLEWINSKY	RPD-371	7212

7590 07/12/2004

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EXAMINER	
SALTARELLI, DOMINIC D	

ART UNIT	PAPER NUMBER
2611	19

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/369,756	CHOLEWINSKY, NORMAN D.	
	Examiner	Art Unit	
	Dominic D Saltarelli	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 August 1999*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 7.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4, 7, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Toyoshima (4,958,381).

Regarding claim 1, Toyoshima discloses an onboard vehicle entertainment system configured for use within a passenger compartment of a vehicle (fig. 11), the entertainment system comprising:

An audio/video signal generator (fig. 1, col. 2, lines 37-39) including an onboard transmitter (fig. 1, leaky cable 21) configured for placement within the passenger compartment of the vehicle (fig. 11, cable 21) to produce a vehicle-specific audio/video signal (as seen from fig. 11, col. 5, lines 5-14) with an audio signal (col. 4, lines 55-57) and a video signal component (col. 4 line 54 – col. 5 line 4), the transmitter being adapted fro wireless transmission of such audio and video signal components (col. 5, lines 12-14);

An audio receiver configured for placement within the passenger compartment of the vehicle (fig. 2, display apparatus 35 with audio terminal 35b for connecting to headphones 35c, col. 5, lines 55-61), the audio receiver being adapted for wireless receipt and presentation of the audio signal component

transmitted by the onboard transmitter (fig. 1, terminal unit 30 receives signal from transmitter 21 through antenna 31 and selects a channel through tuner 33 wherein audio is reproduced on the display apparatus 35 through audio output terminal 35b on headphones 35c, col. 5, lines 15-61); and

A video receiver configured for placement within the passenger compartment of the vehicle (fig. 2, display apparatus 35 with display 35a, col. 5, lines 55-61), the video receiver being adapted for wireless receipt and display of the video signal component transmitted by the onboard transmitter (fig. 1, terminal unit 30 receives signal from transmitter 21 through antenna 31 and selects a channel through tuner 33 wherein video is reproduced on the display apparatus 35 on display 35a, col. 5, lines 15-61).

Regarding claim 2, the passenger compartment disclosed by Toyoshima inherently shields the audio and video receivers from interference duo to audio/video signal exterior to the vehicle because the receivers are within an aircraft, whose metal frame provides electromagnetic radiation shielding.

Regarding claim 4, Toyoshima discloses the system of claim 1, and further discloses the audio/video signal is an RF signal (col. 5, lines 1-14).

Regarding claim 7, Toyoshima disclose the system of claim 1, and further discloses the audio receiver is a headset (fig. 1, 35c).

Regarding claim 8, Toyoshima discloses the system of claim 1, and further discloses the video receiver is an LCD display (col. 5, lines 55-61).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toyoshima.

Regarding claim 3, Toyoshima discloses the system of claim 1, and further discloses the audio/visual signal is coded (audio signals are encoded via CADA encoders, col. 3, lines 51-63 then multiplexed with the video signals, col. 4, lines 46-63), the audio receiver being configured to receive (31), decode (36), and present (35c) only desired audio signal components (via CADA decoder 36 in fig. 1, col. 5, lines 35-49, wherein the user selects desired audio signals using music selecting key 35g in fig. 2, col. 5, lines 62-65), and the video receiver being configured to receive (31) and display (35a) only desired video signal components (fig. 2, television selecting key 35f for selecting desired video signals, col. 5, lines 62-65).

Toyoshima fails to disclose the video signal components are encoded and subsequently decoded.

Examiner takes Official Notice that it was old and well known in the art to digitally encode and subsequently decode video signals for transmission, as digital encoding allows video signals to be compressed, such as with an MPEG encoder, allowing more channels of video data to be transmitted per each allocated channel of bandwidth (e.g. such as over traditionally 6MHz analog channels), broadening the available selection of video data to viewers while conserving bandwidth.

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Toyoshima to include encoding and decoding the video signal components, for the benefit of increasing the quantity of video signals delivered to viewers while conversing the bandwidth available to the transmitter.

Regarding claim 6, Toyoshima discloses the system of claim 1, but fails to disclose the audio receiver is an AM/FM radio.

Examiner takes Official Notice that it was old and well known in the art to incorporate AM/FM radio broadcasts into closed network audio/video distribution systems, enhancing the system by broadening the number of services available by including AM/FM radio, and to receive such signals, the audio receiver would by nature by an AM/FM radio receiver.

It would have been obvious at the time to a person of ordinary skill in the art to modify the system disclosed by Toyoshima to include an AM/FM receiver, for the benefit of enhancing the vehicle entertainment system by broadening the services delivered to include AM/FM broadcasts.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Toyoshima in view of Logan et al. (5,732,216) [Logan].

Regarding claim 5, Toyoshima discloses the system of claim 1, but fails to disclose the audio/video signal is an IR signal.

In an analogous art, Logan teaches using IR signals conforming to the IrDA standard for data communication, taking advantage of the low cost, high speed, and diverse benefits associated with IR transfer of data (col. 6, lines 44-58).

It would have been obvious at the time to a person of ordinary skill in the art to modify the system to disclosed by Toyoshima to include IR signals, as taught by Logan, for the benefits of low cost implementation, high speed (4 Mbps per channel), and diverse access with many different devices (Toyoshima also discloses a personal computer 37 in fig. 1).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sklar et al. (of record), who teaches the encoding and decoding of both video and audio data for distribution in a vehicle.

Gray (3,792,829) who teaches incorporating AM/FM broadcasts into a closed circuit TV distribution system (col. 6 lines 16-22 and col. 7, lines 11-13).

Loposer (5,230,085) who teaches closed system wireless distribution of data aboard a vehicle.

7. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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P.O. Box 1450
Alexandria, VA 22313-1450

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Typed or printed name of person signing this certificate:

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(Date)

Typed or printed name of person signing this certificate:

_____

Signature: _____

Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dominic D Saltarelli whose telephone number is (703) 305-8660. The examiner can normally be reached on M-F 10-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Strivastava can be reached on (703) 305-4038. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dominic Saltarelli
Patent Examiner
Art Unit 2611

DS

HAITRAN
PATENT EXAMINER